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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,292	06/28/2002	Clinton D. Knight	RPS920020041US1	4436
56102	7590	07/06/2006	EXAMINER	
IBM (RPS-BLF) c/o BIGGERS & OHANIAN, LLP P.O. BOX 1469 AUSTIN, TX 78767-1469			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,292

Applicant(s)

KNIGHT ET AL.

Examiner

Mylinh Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's request for reconsideration filed 10/25/05 has been entered and carefully considered. However, the arguments regarding rejections under 35.U.S.C 102 and 35 U.S.C 103 to claims (1-16) have not been persuasive. Therefore, these claims are rejected under the same ground of rejection as set forth in the Office Action mailed 01/23/06.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 5-8, 9 and 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Lapidous [US. 6,874,126].

As to claims 1 and 9, Lapidous teaches a computer implemented method and corresponding apparatus for having a display screen, a switch, and a pointing device for moving a cursor image on the display screen comprising program instructions for performing the steps of displaying an object (figure 3A, 325) on the display screen (figures 2, 3A-B, "More information" region (320), column 6, lines 3-5 and column 7, line 65 through column 8, line 7); displaying a tooltip on the display screen in response to the positioning of the cursor image over the object

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(figure 3, tooltip 315, the tooltip (315) is displayed when the cursor (340) is within the predefined control region (320), column 7, lines 40-46); continuing to display the tooltip in response to the movement of the cursor from the object to the tooltip (figures 3A-B, the tooltip (315) is still displayed while the cursor (330) is moving forward to the tooltip to select the link (310)).

As to claims 3, 6 and 14, Lapidous discloses performing the step of removing the tooltip from the display screen in response to the movement of the cursor both off the object and off the tooltip (column 6, lines 9-10 and lines 50-54).

As to claims 5, 7, 8, and 15-16, Lapidous also discloses the tooltip including a hyperlink displayed within the tooltip (figure 2, the link "ABC book club"), further comprising program instructions for performing the step of displaying on the display screen linked data in response to the cursor being positioned over the hyperlink within the tooltip and the activation of the switch (figure 2, 205, column 6, lines 62-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapidous [US. 6,874,126].

As to claims 2 and 10, Lapidous also fail to clearly teach the tooltip having an overlapping portion that overlaps the object on the display screen and a non-overlapping portion that does not overlap the object on the display screen and further the step of continuing to display the tooltip being in response to the movement of the cursor from the object to the overlapping portion of the tooltip, followed by the movement of the cursor from the overlapping portion to the non-overlapping portion of the tooltip.

However, Lapidous teaches a predefined control region (320) contains the object "More information" (325) (figures 3A-B). Besides, the tooltip (315) is still displayed while the cursor (330) is moving forward to the tooltip to select the link (310). It would have been well known in the computer art that the Lapidous's system suggests the tooltip having an overlapping portion that overlaps the object on the display screen and a non-overlapping portion that does not overlap the object on the display screen and further the step of continuing to display the tooltip being in response to the movement of the cursor from the object to the overlapping portion of the tooltip, followed by the movement of the cursor from the overlapping portion to the non-overlapping portion of the tooltip.

Motivation of the combining would have been to give user extra time to obtain additional information from the tooltip.

As to claim 11, Lapidous discloses performing the step of removing the tooltip from the display screen in response to the movement of the cursor both off the object and off the tooltip (column 6, lines 9-10 and lines 50-54).

As to claims 4 and 12-13, Lapidous also discloses the tooltip including a hyperlink displayed within the tooltip (figure 2, the link "ABC book club"), further comprising program instructions for performing the step of displaying on the display screen linked data in response to the cursor being positioned over the hyperlink within the tooltip and the activation of the switch (figure 2, 205, column 6, lines 62-67).

Response to Arguments

Applicant has argued that Lapidous does not disclose continuing to display the tooltip in response to the movement of the cursor from the object to the tooltip. However, Lapidous discloses the feature at figures 3A-B, column 7, line 65 through column 8, line 7, once the user places the mouse (330) over the object "More information" (335) or the predefined control region (325), the tooltip (315) is displayed with the supplemental content (310) (see column 7, lines 40-65). In order for the user to select the supplemental content (310), the tooltip (315) must be continuously displayed while the cursor (330) is moving forward to the tooltip. How can the user select the supplemental content (310) if the tooltip is not displayed continuously? Therefore, Lapidous's system must disclose the feature of "continuing to display the tooltip in response to the movement of the cursor from the object to the tooltip".

In response to the challenge of Official Notice about "continuing to display the tool tip is in response to the movement of the cursor from the object to the overlapping portion of the tool tip, followed by the movement of the cursor from the overlapping portion to the non-overlapping portion of the tool tip".

Lapidous teaches a predefined control region (320) contains the object "More information" (325) (figures 3A-B). Besides, Lapidous discloses continuing to display the tooltip in response to the movement of the cursor from the object to the tooltip). It would have been well known in the computer art that the Lapidous's system suggests the tooltip having an overlapping portion that overlaps the object on the display screen and a non-overlapping portion that does not overlap the object on the display screen and further the step of continuing to display the tooltip being in response to the movement of the cursor from the object to the overlapping portion of the tooltip, followed by the movement of the cursor from the overlapping portion to the non-overlapping portion of the tooltip.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran
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BA HUYNH
PRIMARY EXAMINER

